

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re:) No. 09 B 03261
) Chapter 7
Chernin's Shoe Outlet, LLC,) Judge Susan Pierson Sonderby
)
Debtor)

COVER SHEET FOR APPLICATION FOR PROFESSIONAL COMPENSATION
(Appendix to Rule 607)

Name of Applicant: Alan D. Lasko & Associates, P.C.

Authorized to Provide
Professional Services to: Richard M. Fogel, Trustee

Date of Order Authorizing Employment: April 7, 2009

Period for Which
Compensation is Sought: May 29, 2010- June 30, 2011

Amount of Fees Sought: \$ 12,220.00

Amount of Expense
Reimbursement Sought: \$ 251.90

This is an: Interim Application_ Final Application XX

If this is *not* the first application filed herein by this professional, disclose as to all prior fee applications:

Date Filed	Period Covered	Total Requested (Fees and Expenses)	Total Allowed	Amount Disallowed
11/4/09	4/7/09 – 8/18/09	\$16,609.86	\$16,609.86	\$0.00
6/8/10	8/19/09 – 5/28/10	\$12,220.60	\$12,220.60	\$0.00

The aggregate amount of fees and expenses *paid* to the Applicant to date for services rendered and expenses incurred herein is: \$ 28,830.46

Dated: June 30, 2011

Alan D. Lasko & Associates, P.C.

By: /s/ Richard M. Fogel

(Local Bankruptcy Rules as adopted 24 June 1994: Page 106)

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:)	
)	
Chernin's Shoe Outlet, LLC)	No. 09 B 03261
)	
36-7370012)	Chapter 7
Debtor)	
)	Hon. Susan Pierson Sonderby

**THIRD AND FINAL APPLICATION
OF ALAN D. LASKO & ASSOCIATES, P.C.
FOR ALLOWANCE COMPENSATION AND EXPENSES**

ALAN D. LASKO AND ALAN D. LASKO & ASSOCIATES, P.C., Certified Public Accountants, request third and final compensation of \$12,200.00 and expenses of \$251.90 for the time period from May 29, 2010 through June 30, 2011. A detail is provided herein for the Estate, which identifies by subject matter the services performed by the Applicant. Additional detail is provided to reflect the function and individual performing said services. Lastly, each individual's classification and hourly rate is also reflected. In addition, attached is the Affidavit pursuant to Bankruptcy Rule 2016.

The Applicant accordingly, submits its Third and Final Fee Application for allowance and payment of compensation for the above amount totaling in the amount for actual, reasonable and necessary professional services rendered and reimbursement of the actual, reasonable and necessary expenses incurred. In further support of this Third and Final Fee Application, Alan D. Lasko & Associates, P.C. ("ADLPC") respectfully states as follows:

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INTRODUCTION

This Court has jurisdiction over this Third and Final Fee Application pursuant to 28 U.S.C. § 1334. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b). Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

The statutory predicates for the relief requested herein are Sections 328, 330 and 331 of Title 11 of the United States Code (11 U.S.C. §§ 101-1532, the "Bankruptcy Code"), as supplemented by Rule 2016 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), Rule 5082-1 of the Local Rules of the United States Bankruptcy Court for the Northern District of Illinois (the "Local Rules"), the United States Trustee Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses Filed Under 11 U.S.C. § 330 promulgated by the United States Department of Justice, dated on January 30, 1996 (the "UST Guidelines").

Under Rule 2016(b), the Firm has not shared, nor agreed to share, (a) any compensation it has received or may receive in these cases with another person or party other than the Firm's owner, associates, and other employees, or (b) any compensation another person or party has received or may receive in these cases.

GENERAL

The Debtor filed a petition under Chapter 7 of the Federal Bankruptcy Code on or about February 2, 2009, and a Trustee was subsequently appointed. On April 7, 2009, Alan D. Lasko & Associates, P.C. was approved by the Court issued as the accountants for the Trustee.

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Reflected in this fee petition is the Applicant's time for the preparation of the Estate's year 2010 and 2011 (final) income tax returns, the amended 2009 and 2010 income tax returns, preparation of the Estate's final payroll tax returns and responding to tax authorities' notices.

The following represents a description of the primary individuals in this engagement.

Alan D. Lasko – CPA, CIRA, CFF

Mr. Lasko has worked primarily in the bankruptcy field over the last 25 years. He brings his 35 years of experience in providing operational support to Chapter 11 and creditor committees, as well as his technical abilities in various accounting and tax matters in bankruptcy cases. Mr. Lasko has been an expert witness, been appointed as a receiver in State Court, worked as a disbursing agent, made presentations to creditors and their committees and worked with debtor and creditor counsels in formulating plans of reorganizations and disclosure statements. Mr. Lasko is a member of the Certified Insolvency and Restructuring Advisors (CIRA), as well as being Certified in Financial Forensics (CFF). Mr. Lasko is also a member of the American Bankruptcy Institute, the American Institute of Certified Public Accountants and the Illinois CPA Society. Mr. Lasko also has instructed and has written seminars on various bankruptcy-related topics. Last, Mr. Lasko has broad accounting and tax experience in Chapter 7 cases.

Denise C. Konomidis, CPA – Tax Supervisor

Ms. Konomidis has 10 years of experience performing tax preparation and tax planning in public accounting. She has worked for a large and small public accounting firm and tax planning firm over this period. She has worked with commercial and individual accounts of various sizes. She has an undergraduate degree in Accounting from the University of Illinois. She is a certified

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public accountant and a member of the American Institute of Certified Public Accountants and the Illinois CPA Society.

Luyan Li, CPA, CVA, Ph.D. – Accounting/Valuation Supervisor

Ms. Li has 5 years of valuation experience and 7 years of performing accounting and tax services. She has a B.A. from Xi An Jiao Tong University in China and a PhD in Communications Studies from Northwestern University in Evanston. She is a Certified Public Accountant and a member of the American Institute of Certified Public Accountants and the Illinois CPA Society. She is also certified by the National Association of Valuation Analysts for her valuation certificate. In addition, she is a Certified QuickBooks ProAdvisor.

Connie Lee – Staff

Ms. Lee is a fifth-year staff person performing accounting and tax services. Ms. Lee has a Bachelor of Accounting from DeVry University.

Tricia Kong – Staff

Ms. Kong is a fourth-year staff person performing accounting and tax services. Ms. Kong has a Masters in Accounting from the University of Illinois at Chicago and a Bachelor's of Commerce from the University of Alberta, Edmonton.

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STAFF – SUPERVISORS, SENIORS AND ASSISTANTS

SUPERVISORS

After a period of several years of experience, senior accountants are advanced to the supervisory level. Supervisors have administrative and overview responsibility on a broader level than senior accountants. Supervisors are responsible to keep the manager abreast of the progress of the engagement of the problems encountered in a particular circumstance.

SENIORS

After a period of usually 2 to 3 years, an individual is advanced to the senior level. Seniors are primarily responsible for the day-to-day functions of fieldwork with the Court. In bankruptcy-related work, audit seniors may also perform specific tasks at the request of a manager or supervisor.

ASSISTANTS

Staff assistants usually execute basic assignments or tasks. In bankruptcy-related work, assistants primarily perform specific projects at specified times under the supervision of a senior, supervisor or manager.

FEE APPLICATION

The fees sought by this Third and Final Fee Application reflect an aggregate of 113.5 hours of ADLPC's time spent and recorded in performing services during the Third and Final Compensation Period. This fee request does not include time that might be construed as duplicative or otherwise not beneficial to the Trustee or the Debtor's Estate, which has already

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been eliminated by ADLPC. In accordance with the factors enumerated in Section 330 of the Bankruptcy Code, the amount of fees requested is fair and reasonable given: (a) the complexity of this case, (b) the time expended, (c) the nature and extent of the services rendered (d), the value of such services, and (e) the costs of comparable services other than in a case under the Bankruptcy Code.

All of the services for which the third and final compensation is sought were rendered solely in connection with this case, in furtherance of the duties and functions of the Trustee and not on behalf of any individual creditor or other person.

ADLPC has not entered into any agreement, express or implied, with any other party for the purpose of fixing or sharing fees or other compensation to be paid for professional services rendered in this case.

ADPC has not shared, or agreed to share (a) any compensation it has received or may receive with another party or person, other than with the members, counsel and associates of the Firm, or (b) any compensation another person or party has received or may receive. No promises have been received by ADLPC as to compensation in connection with this case other than in accordance with the provisions of the Bankruptcy Code.

BREAKDOWN BY CATEGORIES

The categories in this Application as listed below:

CHERNIN'S SHOE OUTLET, LLC

BILLING

The Applicant has incurred 1.2 hours in the preparation of this fee Application.

Cost \$111.00

A recap of compensation for this category is as follows:

	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
A. Lasko	0.2	\$ 260.00	\$ 52.00
C. Wilson, Staff	1.0	59.00	59.00
	<u>1.2</u>		<u>\$ 111.00</u>

TAX PREPARATION

The Applicant incurred 30.1 hours in the preparation of the Estate's year 2010 and 2011 (final) workpapers and year-end tax returns.

Cost \$4,131.20

A recap of compensation for this category is as follows:

	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
A. Lasko	4.9	\$ 260.00	\$ 1,274.00
J. Delahunt, Tax Manager	2.4	250.00	600.00
C. Lee, Staff	12.6	99.00	1,247.40
T. Kong, Staff	10.2	99.00	1,009.80
	<u>30.1</u>		<u>\$ 4,131.20</u>

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RESPOND TO TAX AUTHORITIES

The Applicant incurred 45.0 hours regarding the review of tax claims by various states, responded to numerous state tax notices and worked with states to reduce claims and penalties.

Cost \$7,996.00

A recap of compensation for this category is as follows:

	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
A. Lasko	1.0	\$ 260.00	\$ 260.00
S. Kilgore, Accounting Manager	1.2	205.00	246.00
D. Konomidis, Tax Supervisor	42.8	175.00	7,490.00
	<u>45.0</u>		<u>\$ 7,996.00</u>

PAYROLL TAX PREPARATION

The Applicant incurred 3.3 hours regarding the estimated time to prepare the Estate's final payroll tax returns.

Cost \$471.60

A recap of compensation for this category is as follows:

	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
A. Lasko	0.9	\$ 260.00	\$ 234.00
C. Lee, Staff	2.4	99.00	237.60
	<u>3.3</u>		<u>\$ 471.60</u>

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AMENDED RETURNS

The Applicant incurred 33.9 hours in the preparation of the Debtor's year 2009 federal and various states income tax returns and the Debtor's year 2010 federal and Illinois income tax returns.

The amended returns for 2009 resulted from a re-allocation of sales proceeds and costs related to a prior tax election in 2005.

Cost \$5,886.80

A recap of compensation for this category is as follows:

	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
A. Lasko	13.5	\$ 260.00	\$ 3,510.00
D. Konomidis, Tax Supervisor	4.7	175.00	822.50
C. Lee, Staff	15.7	99.00	1,554.30
	<u>33.9</u>		<u>\$ 5,886.80</u>

The Applicant reflects hourly rates and hours worked by each person by function. The recap also reflects the cost of each function performed. In order to assist the Court and parties in interest to evaluate this fee request, your Applicant has reflected below the range of rates charged by staff level.

Owner	\$225	-	\$275
Manager/Director	180	-	225
Supervisors	160	-	180
Senior	120	-	160
Assistant	65	-	120

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EXPENSES

It is the Firm's policy to charge its clients in all areas of practice for identifiable, non-overhead expenses incurred in connection with the client's case that would not have been incurred except for representation of that particular client. It is the Firm's policy to charge its client only the amount actually incurred by the Firm in connection with such items. Examples of such expenses are postage, overnight mail, courier delivery, transportation, airfare, meals, and lodging.

	<u>Tax Preparation</u>	<u>Amended Returns</u>	<u>Total</u>
Copy Costs	\$ 37.50	\$ 190.40	\$ 227.90
Delivery	<u>16.00</u>	<u>8.00</u>	<u>24.00</u>
	<u>\$ 53.50</u>	<u>\$ 198.40</u>	<u>\$ 251.90</u>

To provide an orderly and meaningful summary of the services rendered by ADLPC in accordance with its employment, ADLPC has summarized the services provided by the project billing categories for its first and third and final fee period are as follows:

<u>Recap by Project</u>	<u>First Interim Application</u>	<u>Second Interim Application</u>	<u>Third and Final Appilcation</u>	<u>Total</u>
Billing	\$ 111.00	\$ 198.40	\$ 111.00	\$ 420.40
General	1,266.40	-	-	1,266.40
Tax Preparation	16,714.00	8,985.10	4,131.20	29,830.30
Respond to Tax Authorities	-	1,670.50	7,996.00	9,666.50
Tax Research	-	1,197.00	-	1,197.00
Payroll Tax Work	-	-	471.60	471.60
Amended Returns	-	-	5,886.80	5,886.80
	<u>18,091.40</u>	<u>12,051.00</u>	<u>18,596.60</u>	<u>48,739.00</u>
Less: Voluntary Discount	<u>(1,809.14)</u>	<u>-</u>	<u>(6,396.60)</u>	<u>(8,205.74)</u>
Net Request	<u>\$ 16,282.26</u>	<u>\$ 12,051.00</u>	<u>\$ 12,200.00</u>	<u>\$ 40,533.26</u>

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<u>Recap by Hour</u>	<u>Hours</u>	<u>Amount</u>	<u>Blended Rate</u>
Billing	4.3	\$ 420.40	<u>\$ 97.77</u>
General	9.3	1,266.40	<u>\$ 136.17</u>
Tax Preparation - Net	199.6	28,021.16	<u>\$ 140.39</u>
Respond to Tax Authorities - Net	51.9	3,269.90	<u>\$ 63.00 *</u>
Tax Research	6.5	1,197.00	<u>\$ 184.15</u>
Payroll Tax Work	3.3	471.60	<u>\$ 142.91</u>
Amended Returns	<u>33.9</u>	<u>5,886.80</u>	<u>\$ 173.65</u>
	<u>308.8</u>	<u>\$ 40,533.26</u>	<u>\$ 131.26</u>

*Reduction of this category agreed to with Trustee.

ALLOWANCE OF COMPENSATION

The foregoing professional services rendered during the Compensation Period were necessary and appropriate to the administration of the Chapter 7 case and was in the best interests of the parties in interest. Compensation for the foregoing services as requested is commensurate with the complexity, importance, and nature of the problems, issues, or tasks involved. ADLPC has taken significant efforts to ensure that the professional services were performed with expedience and in an efficient manner and without duplication of effort.

Section 330 provides that a court may award a professional employed under Section 327 of the Bankruptcy Code "reasonable compensation for actual necessary services rendered . . . and reimbursement for actual, necessary expenses." 11 U.S.C. § 330(a)(1). Section 330 also sets forth the criteria for the award of such compensation and reimbursement:

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In determining the amount of reasonable compensation to be awarded, the court should consider the nature, the extent, and the value of such services, taking into account all relevant factors, including.

- (A) the time spent on such services;
- (B) the rates charged for such services;
- (C) whether the services were necessary to the administration of, or beneficial at the time the service was rendered toward the completion of, a case under this title;
- (D) whether the services were performed within a reasonable amount of time commensurate with the complexity, importance, and nature of the problem, issue or task addressed; and
- (E) whether the compensation is reasonable based on the customary compensation charged by comparably skilled practitioners in cases other than cases under this title.

Id. § 330(a)(3).

In the instant case, ADLPC respectfully submits that the services for which it seeks compensation in this Third and Final Fee Application were necessary for and beneficial to the Trustee's efforts in administering the Debtor's Estate, and necessary to and in the best interests of the Debtor's Estate. ADLPC further submits that the compensation requested herein is reasonable in light of the nature, extent, and value of such services provided to the Trustee and the Debtor's Estate.

The rates charged by ADLPC in this case are standard for any bankruptcy matter, and are identical to the rate it would charge throughout the country in any bankruptcy case of this size and prominence.

In sum, the services rendered by ADLPC were necessary and beneficial to the Debtor's Estate, and were consistently performed in a timely manner commensurate with the complexity,

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importance, and nature of the issues involved. As shown by this Third and Final Fee Application and supporting exhibits, ADLPC incurred professional time economically and without unnecessary duplication of effort. In addition, the work involved, and thus the time expended, was carefully assigned in view of the experience and expertise required for a particular task.

CONCLUSION AND REQUEST FOR RELIEF

Based upon the foregoing, your Applicant submits that the relief requested is justified in the circumstances and its allowance would be appropriate. Therefore, the requested third and final compensation of \$12,200.00 and expenses of \$251.90 should be allowed for services by your Applicant for the period May 29, 2010 through June 30, 2011.



Alan D. Lasko

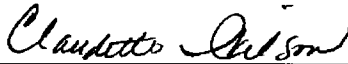
Alan D. Lasko & Associates, P.C.
29 South LaSalle Street
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(312) 332-1302

FURTHER AFFIANT SAYETH NOT.



Alan D. Lasko

Subscribed and Sworn to before me
this 30th day of June, 2011.



Notary Public

